



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Employee Relations

**Political Activity by Department Employees
Policy**

Effective date

Revised

Number: 1.09

October 6, 2003

The Department of Natural Resources supports staff's participation in political activity. Certain requirements are placed on state employees' political activity to minimize any conflict of interest or possible coercion.

REFERENCES

Federal Hatch Act <https://osc.gov/pages/hatchact.aspx>

Appointments and promotions – no discrimination permitted – political activities prohibited- violations cause for dismissal RSMO 36.150.4 through 36.150.7

Political activities by state employees permitted – prohibited activities: RSMO 36.155

Prohibitions on political activities by state employees RSMO 36.157

State employees not to be coerced into political activity – penalty RSMO 36.159

Time off for Voting: Section 115.639 (1) RSMo. 1986

Qualifications of election judges RSMO 115.085

Political activity 1 CSR 20-3.080 (2)

Related DNR policy

Leave with Pay 5.01

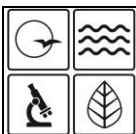
DEFINITIONS

Department: The Department of Natural Resources

Partisan: identified with political party

Partisan election: any election where the candidates are identified on the ballot by political party labels

Non-partisan: no identification with a political party



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Instrumentality: a subsidiary branch, as of a government, by means of which functions or policies are carried out

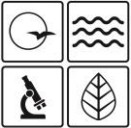
GENERAL PROVISIONS

Political activities by employees

The following are general guidelines for allowable political activities outside of work time.

Staff with the department may

- Register and vote as he or she chooses. Employees are provided leave with pay for voting according to state law and the department's policy "Leave with Pay 5.01"
- Attend and participate in a partisan presidential caucus held to determine a political group's preference for the Office of President of the United States
- Express any opinion about political candidates and issues
- Wear or display political badges, buttons, or stickers as an expression of opinion
- Campaign for a candidate or slate of candidates in a partisan or non-partisan election and for or against referendum questions, constitutional amendments and similar issues.
- Attend political rallies and meetings
- Voluntarily attend a political fundraising function
- Make voluntary contributions to a political organization or candidate
- Collect contributions and participate in fundraising for non-partisan election campaigns.
- Sign nominating or referendum petitions.
- Assist in general voter registration drives
- Voluntarily join a political party, club or organization
- Serve as an election judge whose real function is general compliance with election laws even though a partisan label is required.
- Be a candidate for nomination or election to a non-partisan public office that is not in conflict with the duties of the employee's job. Conflict of duties is interpreted to include both a conflict in performance of work duties and a conflict of interest. A conflict of work performance would exist if the public office prevents the employee from devoting the appropriate amount of time or attention to job duties. A conflict of interest could exist if the duties of the elective office and the duties of the employee were closely related.

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An employee considering running for a non-partisan office should notify his/her supervisor and the appointing authority before actually becoming a candidate to avoid any appearance of conflict of interest. The notice should describe the public office sought.

Prohibited activities

An employee may not engage in political activity:

- While on duty
- In any room or building occupied in the discharge of official duties
- By utilizing any state resources or facilities
- While wearing a uniform or official insignia identifying the office or position of the employee
- When using any vehicle owned or lease by the state or any agency or instrumentality of the state


An employee may not:

- Use his/her official authority or influence to interfere with the results of an election
- Knowingly solicit, accept or receive a political contribution from any person who is a subordinate employee
- Run for the nomination, or as a candidate for election, to a partisan political office
- Knowingly solicit or discourage the participation in any political activity of any person who:
 - has an application for any compensation, grant, contract, ruling, license, permit or certificate pending to the department and
 - is the subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the department.

It is unlawful for any person to intimidate, threaten, command or coerce any employee of the state to engage in or not to engage in any political activity including but not limited to:

- Voting or refusing to vote for any candidate or measure in any election
- Making or refusing to make any political contribution
- Working or refusing to work on behalf of any candidate.

No employee of the department shall discriminate against, discipline or otherwise create a preference for or against any employee subject to such a person's authority as a consequence of the employee's political belief or expression of such belief. Any person

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who violates the provisions of this section is guilty of a class three election offense. Any person convicted of a violation shall be dismissed from the department.